

FIRST REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 357**  
**94TH GENERAL ASSEMBLY**

---

Reported from the Committee on Seniors, Families and Public Health, February 22, 2007, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

1635S.02C

TERRY L. SPIELER, Secretary.

---

**AN ACT**

To amend chapter 197, RSMo, by adding thereto one new section relating to emergency services.

---

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Chapter 197, RSMo, is amended by adding thereto one new  
2 section, to be known as section 197.123, to read as follows:

**197.123. 1. This section may be referred to as the "Marie Van  
2 Dillen Act".**

**3 2. The department of health and senior services shall require  
4 that each hospital providing emergency services have in place a policy  
5 for physicians treating patients in the hospital emergency department  
6 to make a reasonable attempt, as determined by the hospital, to notify  
7 the patient's physician of the emergency treatment upon the patient's  
8 request. The time frames for providing the notification shall be  
9 established by the policy and shall be approved by the hospital medical  
10 staff. Such policy shall take into account that the notification or  
11 consultation shall not inappropriately delay services to patients and  
12 that it shall occur once the emergency treating physician has stabilized  
13 the patient.**

**14 3. The department shall promulgate rules to enforce the  
15 provisions of this section. Any rule or portion of a rule, as that term is  
16 defined in section 536.010, RSMo, that is created under the authority  
17 delegated in this section shall become effective only if it complies with  
18 and is subject to all of the provisions of chapter 536, RSMo, and, if  
19 applicable, section 536.028, RSMo. This section and chapter 536, RSMo,  
20 are nonseverable and if any of the powers vested with the general**

21 assembly pursuant to chapter 536, RSMo, to review, to delay the  
22 effective date, or to disapprove and annul a rule are subsequently held  
23 unconstitutional, then the grant of rulemaking authority and any rule  
24 proposed or adopted after August 28, 2007, shall be invalid and void.

✓

Unofficial

Bill

Copy